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Chambers of Vincent L. Briccetti  
*8-7-20  
DAB*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DARRELL GUNN,

Plaintiff,

v.

C.O. PATRICK LEON MCNEIL, C.O.  
PETERSON, C.O. KEITH SPOSATO, C.O.  
WESLEY, and C.O. ANTHONY WELLS  
Defendants.

**ORDER**

19 CV 11821 (VB)

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On July 6, 2020, defendants moved to dismiss plaintiff's amended complaint (Doc. #26) and mailed to plaintiff, who is proceeding pro se and in forma pauperis, copies of the motion and supporting documents. (Doc. #28). Plaintiff's opposition to the motion was due July 23, 2020. See Fed. R. Civ. P. 6(d); Local Civil Rule 6.1(b).

To date, plaintiff has failed to oppose the motion or seek an extension of time to do so.

Accordingly, it is HEREBY ORDERED:

The Court sua sponte extends to August 28, 2020, plaintiff's time to oppose the motion to dismiss. If plaintiff fails to respond to the motion by August 28, 2020, the motion will be deemed fully submitted and unopposed.

If plaintiff opposes the motion, defendants' reply, if any, shall be due September 4, 2020.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: August 7, 2020  
White Plains, NY

SO ORDERED:

Vincent L. Briccetti  
United States District Judge